

REMARKS

Claim 2, 4 and 5 are amended so as to clarify the subject matter of the originally filed claims. The basis for this amendment can be found in page 14, lines 9-15; page 18, lines 21-25; and page 19, lines 9-16. The amendment makes it clear that the cover film on which the hard coat layer has been formed may be wound into a roll form, for example, so as to carry it from one factory site where a hard coat layer is formed on the cover film to another site where the roll of film with the hard coat layer is unwound and the adhesive layer is applied.

Claims 1, 6 and 12 are amended so as to introduce "a releasing film disposed on the adhesive layer". The basis for the amendment can be found in page 17, lines 6-15 of the originally-filed specification. As described in the specification, an adhesive layer may be formed on a cover film by applying adhesive on a releasing film to form an adhesive layer, and then adhering the adhesive layer formed on the releasing film onto the cover film (indirect method). As another option, an adhesive layer may be formed on a cover film by applying adhesive on a cover film to form an adhesive layer, and then adhering a releasing film onto the adhesive layer (direct method). Claims 1, 6 and 12 encompass both indirect and direct methods for forming an adhesive layer.

No new matter is added.

Claims 1-20 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 112, first paragraph

On page 2 of the Office Action, claims 2, 4 and 5 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. After the amendment to clarify the subject matter recited above, all the claims comply with the enablement requirement.

II. Claim Rejections under 35 U.S.C. § 112, second paragraph

On page 2 of the Office Action, claims 1, 2, 6, 7 and 12-16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 6 and 12 are amended as recited above, making the rejection of claims 1, 2, 6, 7 and 12-16 moot.

III. Claim Rejections under 35 U.S.C. § 102(e) and 103(a)

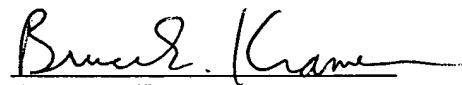
On page 2 of the Office Action, claims 6, 7, 9, 10, 12-14 and 17-19 are rejected under 35 U.S.C. § 102(e) as being anticipated by US 2003/0081537. Further, Claims 6, 7, 9, 10, 12-14 and 17-19 are also rejected under 35 U.S.C. § 103(a) as being unpatentable over the same reference.

Claims 6, 7, 9, 10, 12-14 and 17-19 are described in the form of product-by-process claims. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. Applicant respectfully argue that the product produced by the method recited in claims 6, 7, 9, 10, 12-14 and 17-19 is not the same and not obvious from the product disclosed in the cited reference. The difference is clearly shown, for instance, in page 35, Table 1 in which unexpected superior results of the present invention are shown, particularly in terms of thickness unevenness of the hard coat layer. As shown in the results in Table 1, it is revealed that the optical information recording medium transparent sheets of the present invention have a smaller thickness unevenness and a better thickness precision. Accordingly, the product produced by the process recited in claims 6, 7, 9, 10, 12-14 and 17-19 is different from the product disclosed in the cited reference, and thus claims 6, 7, 9, 10, 12-14 and 17-19 are patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Bruce E. Kramer
Registration No. 33,725

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 13, 2005